

SUBCHAPTER E: AGGREGATE AND PAVEMENT
§§106.141, 106.143-106.146, 106.148-106.150
Effective July 31, 2008

§106.141. Batch Mixers.

Batch mixers with rated capacity of five cubic feet or less for mixing cement, sand, aggregate, additives, and/or water or similar materials are permitted by rule.

Adopted August 9, 2000

Effective September 4, 2000

§106.143. Wet Sand and Gravel Production.

Any wet sand and gravel production facility that obtains its material from subterranean and subaqueous beds where the deposits of sand and gravel are consolidated granular materials resulting from natural disintegration of rock and stone and whose production rate is 500 tons per hour or less is permitted by rule. All permanent in-plant roads shall be paved and cleaned as necessary or watered as necessary to achieve maximum control of dust emissions.

Adopted August 9, 2000

Effective September 4, 2000

§106.144. Bulk Mineral Handling.

All bulk mineral product (except asbestos) handling facilities that operate in compliance with the following conditions of this section are permitted by rule.

(1) All material shall be transported in a closed conveying system and all exhaust air to the atmosphere shall be vented through a fabric filter having a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with automatic air cleaning.

(2) All permanent in-plant roads and vehicle work areas shall be watered, treated with dust-suppressant chemicals, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

(3) The facility (including associated stationary equipment and stockpiles) shall be located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the facility is located.

(4) Before construction begins, written site approval must be received from the executive director and the facility shall be registered with the commission's Office of Permitting, Remediation, and Registration in Austin using Form PI-7.

Adopted August 9, 2000

Effective September 4, 2000

§106.145. Bulk Sand Handling.

All oil well servicing bulk sand handling facilities that operate according to the following conditions of this section are permitted by rule.

- (1) All sand shall be prewashed.
- (2) All handling of sand shall be mechanical or, if conveyed pneumatically, the conveying air shall be vented to the atmosphere through a fabric filter(s) having a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with air cleaning.
- (3) All permanent in-plant roads and vehicle work areas shall be watered, treated with dust-suppressant chemicals, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.
- (4) The facility (including associated stationary equipment and stockpiles) shall be located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the facility is located.
- (5) Before construction begins, the owner or operator shall file with the commission's Office of Permitting, Remediation, and Registration in Austin a completed Form PI-7 and supporting documentation demonstrating that all of the requirements of the permit by rule will be met.

Adopted August 9, 2000

Effective September 4, 2000

§106.146. Soil Stabilization Plants.

Any soil stabilization facility that operates according to the following conditions of this section is permitted by rule.

- (1) All bulk storage silos shall be equipped with fabric filter(s) having a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with automatic air cleaning.
- (2) All conveyor belts transferring dry material to the pug mill shall be top covered.
- (3) The pug mill used to mix the materials shall be covered.
- (4) All permanent in-plant roads and vehicle work areas shall be watered, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.
- (5) An audible and/or visible mechanism shall be installed on the storage silo(s) to notify operators that the silo is full.
- (6) All stockpiles shall be sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions.

(7) When emulsified asphalt is used as the stabilizing admixture, the emulsified asphalt shall be stored in a container used exclusively for emulsified asphalt storage. Transfer of emulsified asphalt from the storage tank to the pug mill shall be accomplished by means of a pump and metering device.

(8) Before construction of the facility begins, written site approval shall be received from the executive director and the facility shall be registered with the commission's Office of Permitting, Remediating, and Registration in Austin using Form PI-7.

(9) The facility shall be located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located. This distance limitation does not apply to structures within the boundaries of the project for which the facility is to process stabilized soil when the facility is located on or contiguous to the project.

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Effective September 4, 2000

§106.148. Material Unloading.

Railcar or truck unloading of wet sand, gravel, aggregate, coal, lignite, and scrap iron or scrap steel (but not including metal ores, metal oxides, battery parts, or fine dry materials) into trucks or other railcars for transportation to other locations is permitted by rule, provided the following conditions of this section are met.

(1) Bulk materials shall not be stored on-site.

(2) Water sprays or the equivalent must be installed and used as necessary at material handling operations to achieve maximum control of dust emissions.

(3) All permanent in-plant roads and vehicle work areas shall be watered, treated with dust-suppressant chemicals, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

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§106.149. Sand and Gravel Processing.

Any sand and gravel production facility that obtains its material from deposits of sand and gravel consisting of natural disintegration of rock and stone is permitted by rule, provided that the following conditions of this section are satisfied:

(1) crushing or breaking operations are not used;

(2) no blasting is conducted to obtain the material;

(3) water sprays are installed on the plant at all screens and transfer points and used as necessary to achieve maximum control of dust emissions;

(4) the area where the sand and gravel is obtained shall be sprinkled with water as necessary to achieve maximum control of dust emissions before the material is removed and transported for processing;

(5) all in-plant roads shall be paved and cleaned or sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions;

(6) the plant is located at least 1/4 mile from any recreational area or residence or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located;

(7) the production rate is 50 tons per hour or less.

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§106.150. Asphalt Silos.

Any silo used to store hot mix asphalt or asphalt emulsion concrete mixtures which meets the following conditions of this section is permitted by rule:

(1) no cutback asphalt mixtures are stored;

(2) for silos on location for more than six months, all truck traffic areas are paved and cleaned as necessary to achieve maximum control of dust emissions and for those silos on location for six months or less, the truck traffic areas are sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions;

(3) fuel used for heating the silo is sweet natural gas as defined in Chapter 101 of this title (relating to General Air Quality Rules) or liquid petroleum gas or first run refinery grade diesel or Number 2 fuel oil that is not a blend containing waste oils or solvents and that contains less than 0.5% by weight sulfur;

(4) the silo(s) is located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the silo(s) is located;

(5) before construction begins, written site approval is received from the executive director and the facility is registered with the commission's Office of Permitting, Remediation, and Registration in Austin using Form PI-7.

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Effective September 4, 2000